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In re Application of	:	DECISION ON
GRIEBEL et al	:	
PCT No.: PCT/DE2003/003637	:	
Application No.: 10/535601	:	PAPERS FILED
Int. Filing Date: 29 October 2003	:	
Priority Date: 19 November 2002	:	
Attorney's Docket No.: 026418	:	UNDER 37 CFR 1.42
For: METHOD FOR THE INTRODUCTION OF AN	:	
INTEGRATED ... EXPANSIVE BODY	:	

This is in response to the "RENEWED PETITION UNDER 37 CFR 1.42" filed 19 December 2005.

BACKGROUND

In a decision from this office dated 18 October 2005, the declaration filed on 19 May 2005 was not accepted under 37 CFR 1.42. The declaration was unacceptable because it was not clear that Vera STEINHAEUSER is the sole heir or just the legal representative for the deceased inventor, Frank STEINHAEUSER.

On 19 December 2005, applicants submitted the renewed submission under 37 C.F.R. §1.42.

DISCUSSION


Applicants have provided an executed declaration, which sets forth that Vera STEINHAEUSER as heir/legal representative of Frank STEINHAEUSER. Again, it is unclear if she is the sole heir because the declaration lists her as an heir, if she is the sole heir then it should be stated as such. Moreover, she signed the declaration as she was the fourth-joint inventor of the current patent application. That is, currently the current executed declaration describes her as the fourth-joint inventor but based on applicants' comments it appears that she is only the legal representative of Mr. Frank STEINHAEUSER. Thus, the declaration is improperly executed.

CONCLUSION

For the above reasons, the request for status under 37 CFR 1.42 is **not accepted**.

If reconsideration on the merits of this petition is desired, a proper reply must be filed within TWO (2) MONTHS from the mail date of this decision. Failure to respond will result in the abandonment of the application. Any reconsideration request should include a cover letter entitled "Second Renewed Request Under 37 CFR 1.42." Extensions of time are available under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the office of PCT Legal Administration.



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